

1 LEROY SMITH, State Bar No. 107702
2 County Counsel, County of Ventura
3 MARINA PORCHE, State Bar. No. 162809
4 Assistant County Counsel
5 ANNE M. LARSEN, State Bar No. 150521
6 Assistant County Counsel
7 marina.porche@ventura.org
8 800 South Victoria Avenue, L/C #1830
9 Ventura, California 93009
10 Telephone: (805) 654-2594
11 Facsimile: (805) 654-2185

12 Attorneys for Defendant
13 Ventura County Sheriff Geoff Dean

14
15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA

17 RONALD NORDSTROM, } No. 2:15-cv-07607-DMG-FFM
18 vs. Plaintiff, } DEFENDANT VENTURA COUNTY
19 VENTURA COUNTY SHERIFF } SHERIFF GEOFF DEAN'S
20 GEOFF DEAN, Defendants. } APPLICATION TO FILE
21 Date: December 18, 2015
22 Time: 9:30 a.m.
23 Ctrm: 7
24 Trial: Not Set
25 Judge: Hon. Dolly M. Gee
26 Complaint Filed: September 28, 2015

27
28 Defendant Ventura County Sheriff Geoff Dean (the "Sheriff") hereby
29 requests the court's leave to file certain unredacted documents under seal. The
30 Sheriff notes that page 11 of the Standard Initial and Renewal Application for
31 License to Carry a Concealed Weapon ("CCW") states in pertinent part,
32 "Notwithstanding any other provision of law and pursuant to the Public Records
33 Act (Government Code section 6250 et seq.), I understand that information
34 contained in this application may be a matter of public record." However, during
35 the application process, a CCW applicant is asked to disclose information
36 pertaining to arrests, formal charges, and convictions as well as certain medical

1 information. The Sheriff requests the court to make the threshold determination
2 of whether to seal portions of the briefing discussing arrests, formal charges,
3 convictions and certain medical information. If the court determines that Plaintiff
4 has no expectation of privacy by virtue of Plaintiff's having filed his complaint
5 and the CCW Application admonition that such information may be made public,
6 the Sheriff will promptly comply with a court order to electronically file such
7 documents.

8 At present time, the Sheriff has not electronically filed a copy of the
9 Plaintiff's CCW application or the June 23, 2015, memorandum by Sheriff
10 Detective Charles Heckman, and the Sheriff has electronically filed *redacted*
11 copies of the Declaration of Charles Heckman, the Declaration of Geoff Dean, the
12 Declaration of Marina Porche, Defendant Ventura County Sheriff Geoff Dean's
13 Memorandum of Points and Authorities in Opposition to Plaintiff's Motion for
14 Summary Judgment, and Defendant Ventura County Sheriff Geoff Dean's
15 Statement of Genuine Disputes of Material Fact in Opposition to Plaintiff's
16 Motion for Summary Judgment.

17 The Sheriff applies to the court for leave to file under seal the following
18 documents, unless the court determines filing under seal is not warranted, and
19 directs the Sheriff to file these documents electronically:

20 1. Plaintiff Ronald Nordstrom's CCW Application, attached hereto as
21 Exhibit A, and referenced in the declaration of Charles Heckman as internal
22 Exhibit A, and referenced in the Declaration of Geoff Dean as internal Exhibit D.

23 2. June 23, 2015, memorandum prepared by Sheriff Detective Charles
24 Heckman, attached hereto as Exhibit B, and referenced in the Declaration of
25 Charles Heckman as internal Exhibit B, and referenced in the Declaration of Geoff
26 Dean as internal Exhibit E.

27 3. Unredacted copy of Declaration of Charles Heckman, attached hereto as
28 Exhibit C.

1 4. Unredacted copy of Declaration of Geoff Dean, attached hereto as
2 Exhibit D.

3 5. Unredacted copy of Declaration of Marina Porche, attached hereto as
4 Exhibit E.

5 6. Unredacted Memorandum of Points and Authorities in Opposition to
6 Plaintiff's Motion for Summary Judgment, attached hereto as Exhibit F.

7 7. Unredacted Statement of Genuine Disputes of Material Fact in
8 Opposition to Plaintiff's Motion for Summary Judgment, attached hereto as
9 Exhibit G.

LEROY SMITH
County Counsel, County of Ventura

2 Dated: November 24, 2005 By Marina Porche
3
4 MARINA PORCHE
Assistant County Counsel
5
6 Attorneys for Defendant Ventura County
7 Sheriff Dean

REFERENCED EXHIBITS A THROUGH G ARE NOT
BEING ELECTRONICALLY FILED WITH THE APPLICATION
AND PROPOSED ORDER

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF VENTURA

The undersigned declares:

I am a resident of or employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action. My business address is County Counsel's Office, 800 South Victoria Avenue, L/C # 1830, Ventura, California 93009-1830.

On November 25, 2015, I served the within **DEFENDANT VENTURA COUNTY SHERIFF GEOFF DEAN'S APPLICATION TO FILE DOCUMENTS UNDER SEAL** on:

8 Jonathan W. Birdt
9 Attorney at Law
10 18252 Bermuda Street
Porter Ranch, California 91326

11 [] by addressing an envelope to the above-named person(s) as indicated
12 above, and placing in the envelope a true copy of each of said documents,
13 and by then placing the envelope for collection and mailing following our
14 ordinary business practices. I am readily familiar with this business's
15 practice for collecting and processing correspondence for mailing. On the
16 same day that correspondence is placed for collection and mailing, it is
17 deposited in the ordinary course of business with the United States Postal
18 Service in a sealed envelope with postage fully prepaid.

19 [X] by an express service carrier(a guaranteed next day delivery service), by
20 placing a true copy of the above-stated document(s) in an envelope or
21 package designated by said carrier and addressing it to the person(s) on
22 whom it is to be served.

23 [] by personal service by delivering said document(s) by hand to the above-
24 named person(s) as indicated above in the manner provided in Code of Civil
25 Procedure section 1011 or the Federal Rules of Civil Procedure, rule 5(b).

26 [] (STATE) I declare under penalty of perjury under the laws of the State of
27 California that the foregoing is true and correct. Executed on , at Ventura,
28 California.

29 [X] (FEDERAL) I declare under penalty of perjury that I am employed in the
30 office of the member of the bar of this court at whose direction the service
31 was made. Executed on November 25, 2015, at Ventura, California.

Pam Tissler
PAM TISSLER